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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,155	09/30/2003	Einat Amitay	IL920030030US1	5555
7590 Stephen C. Kaufman Intellectual Property Law Dept. IBM Corporation P.O. Box 218 Yorktown Heights, NY 10598		01/15/2008		
		EXAMINER LABAZE, EDWYN		
		ART UNIT 2887		
		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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**Office Action Summary**

Application No.

10/675,155

Applicant(s)

AMITAY ET AL.

Examiner

EDWYN LABAZE

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 August 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-52 and 57-60 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-52 and 57-60 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br/>Paper No(s)/Mail Date _____.</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)<br/>Paper No(s)/Mail Date. _____.</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application</p> <p>6) <input type="checkbox"/> Other: _____.</p> |
|--|--|

***Claim Rejections - 35 USC § 102***

1. Receipt is acknowledged of amendments filed on 8/13/2007.
2. Claims 1-52 and 57-60 are presented for examination.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-52 and 57-60 are rejected under 35 U.S.C. 102(b) as being anticipated by Kovesdi et al. (US 2003/0155413).

Re claims 1, 5, 18-19, 25, 29, 33, 46-47, and 57: Kovesdi et al. discloses system and method for authentic and providing information relevant to a physical world, which includes:

- An index to list physical items in a vicinity around a changeable current location of a user of said index (paragraphs 50-60, 63-70).
- Kovesdi et al further teaches a personal index {herein interpreted as the index storage 205 or index database} (see paragraph 41);
- and a personal index updater {herein the personal mobile device 207} to update {herein with means of adding, deleting, and/or modifying; as disclosed in paragraph 49} the personal index to include information about items within a changeable space in the vicinity of a person (paragraphs 41-56, 68-76).

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- Kovesdi et al. also discloses a location sensor {herein location coordinate detector} to sense the location of a person and to provide the location to a server {herein a location server 211} (paragraphs 40, 49, 64, 67);
- a space-wide index comprising information about items in a physical space larger than the vicinity of the person (paragraphs 63-67, 71-77, 95-99);
- a search engine {herein using input mechanism such as digital text input, speech to text input, and the like} to search for items within the personal index (see fig. # 5a; paragraphs 45-46, 64, 68, 73, 78).

Re claims 2, 8, 17, 22, 26, 30, 36, 45, 50, and 58: Kovesdi et al. teaches system and method, wherein said user is in a space, said vicinity is within said space, and said space is one of the following: a store, a library, a shelf, an aisle, within a given radius, a street, a city, a campus, a building {herein 101}, an area and a park (paragraphs 40, 49, 92, 95-96).

Re claims 3, 27, 31, and 59: Kovesdi et al. discloses a system and method, which comprises information about the physical items, wherein the information comprises content found on tags {herein an RFID tag} associated with the physical items (paragraphs 39, 60-63, 74, 100-101).

Re claims 4, 28, 32, and 60: Kovesdi et al. teaches a system and method, wherein said information comprises a description of said physical items and their locations (see table 1; paragraphs 37, 70, 80, 91).

Re claims 6, 15, 34, 43: Kovesdi et al. discloses a system and method, comprising a search engine {herein using input mechanism such as digital text input, speech to text input, and

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the like} to search for items within the personal index (see fig. # 5a; paragraphs 45-46, 64, 68, 73, 78).

Re claims 7, 16, 21, 35, 44, 49: Kovesdi et al. teaches a system and method, comprising a ranker for ranking {herein means of outputting a sequential and ordered list in a hierarchical set} an output of the search engine (paragraphs 50-60, 75).

Re claims 9, 14, 37, and 42: Kovesdi et al. discloses a system and method, comprising a space filter to provide the personal index updater only with information from items within the changeable space (paragraph 113).

Re claims 10-11 and 38: Kovesdi et al. teaches a system and method, comprising a location sensor {herein location coordinate detector} to sense the location of a person and to provide the location to a server {herein a location server 211} (paragraphs 40, 49, 64, 67) and also comprising a receiver {herein a GPS receiver} to receive information about items within the vicinity from said server (paragraphs 40-41, 63, 99).

Re claims 12-13 and 39-41: Kovesdi et al. discloses a system and method, a space-wide index comprising information about items in a physical space larger than the vicinity of the person; and a personal index builder to search {using the GPS receiver for automatically listing all objects in the proximity of the user} the space-wide index for the items in the vicinity of the location and to provide the information about the items to the personal index updater {with means of adding, deleting, and/or modifying as disclosed in paragraph 49} and also comprising a space-wide index updater to update the space-wide index with information about items in the physical space (paragraphs 63-67, 71-77, 95-99).

Re claims 20 and 48: Kovesdi et al. teaches a system and method, wherein said location sensor comprises a unit to read a tag worn 905 by said person, the unit being one of the following: an optical reader, a video camera, an infra-red detector and an RF tag reader 907 (paragraphs 41, 62-63, 100-101).

Re claims 23 and 51: Kovesdi et al. discloses a system and method, wherein the vicinity is a space {store 104} smaller than the physical space {herein building 101} (see fig. # 1; paragraphs 95-96).

Re claims 24 and 52: Kovesdi et al. teaches a system and method, also comprising a logger to log at least the movement of items in the physical space and the searches performed by said search engine and a recommender to recommend items to the person based on the results of the logger (paragraphs 95-101).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Walker et al. (US 2003/0004999) discloses system and method for providing a customized index with hyper-footnotes.

Rajasekharan (US 2003/0024975) teaches system and method for authoring and providing information relevant to the physical world.

Ebert et al. (US 2003/0227392) discloses context-aware and real-time item tracking system architecture and scenarios.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWYN LABAZE whose telephone number is (571) 272-2395. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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Edwyn Labaze  
Patent Examiner  
Art Unit 2876  
October 17, 2007